

Express Mail Label No. EM 290 578 722 US  
Date of Deposit: June 28, 1996

#2  
PATENT  
Attorney Docket No. 15358-24

I hereby certify that this correspondence is being deposited  
with the United States Postal Service "Express Mail Post  
Office to Addressee" service under 37 CFR §1.10 addressed to:  
Box: Reconstruction  
Assistant Commissioner for Patents,  
Washington, D.C. 20231, on June 28, 1996

TOWNSEND and TOWNSEND and CREW LLP  
By Sunil Dutt  
Sunil Dutt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)
	)
Edward L. Schwartz, et al.	) Examiner: Unassigned
	)
Application No.: 08/423,402	) Art Unit Unassigned
	)
Filed: April 18, 1995	)
	) REQUEST FOR FILE
For: METHOD AND APPARATUS FOR	) RECONSTRUCTION
SECURING EXECUTABLE	)
PROGRAMS AGAINST COPYING	)
	)

Box: Reconstruction  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to the Official Letter mailed June 27, 1996,  
which indicated that the file wrapper for the above-captioned  
case is lost and the search in the Patent Office has been  
terminated, Applicants respectfully request that the file wrapper  
for the above-captioned case be reconstructed.

To that end, enclosed herewith are true and correct  
copies of the following documents which comprise our complete  
application file:

1. Complete application, as filed, comprising:
  - a. specification,
  - b. eight (8) sheets of informal drawings,
  - c. unsigned Declaration,
  - d. application transmittal sheet, and
  - e. copy of return postcard (stamped received by the PTO April 18, 1995).
2. Notice to File Missing Parts of Application (mailed May 5, 1995).

Edward L. Schwartz, et al.  
Application No. 08/423,402  
Page 2

PATENT

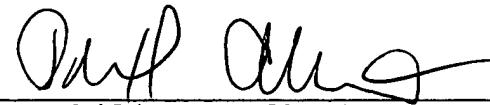
3. Information Disclosure Statement, PTO-1449 form and three (3) references cited (mailed June 14, 1995) and copy of return postcard (stamped received by the PTO June 19, 1995).
4. Transmittal Letter of June 14, 1995 comprising:
  - a. Executed Declaration,
  - b. Power of Attorney with attached Certificate Under 3.73(b),
  - c. copy of Notice to File Missing Parts
  - d. copy of return postcard (stamped received by the PTO June 19, 1995).
5. Assignment and PTO-1595P form submitted for recordation June 14, 1995 (including copy of return postcard stamped received by the PTO June 19, 1995).
6. Copy of Filing Receipt (received July 24, 1995).
7. Recorded Assignment received from PTO November 14, 1995. Assignment recorded on June 19, 1995 at Reel 7524, Frame 0155.

Please reconstruct the application file from the copies enclosed herewith.

Also enclosed is our request for five (5) certified copies of the filed application. As the certified copies are needed for rapidly approaching deadlines to obtain priority in foreign filings, the Patent Office's diligent attention to this matter is appreciated.

Respectfully submitted,

Date: 28 JUN 96

By   
Philip H. Albert  
Reg. No. 35,819

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
Telephone: (415) 576-0200  
Encs: (Items 1-7)

Request for Certified Copies  
P:\015358\0024\P01-reco

**TOWNSEND and TOWNSEND KHOURIE and CREW**  
Steuart Street Tower  
One Market Plaza  
San Francisco, CA 94105  
(415) 543-9600

Atty. Docket No. 15358-24

"Express Mail" Label No. TB380892996 US

Date of Deposit April 18, 1995

**PATENT APPLICATION**  
**COMMISSIONER OF PATENT AND TRADEMARKS**  
**Washington, D. C. 20231**

Sir:

Transmitted herewith for filing is the  
[X] patent application of  
[ ] design patent application of  
[ ] continuation-in-part patent application of

I hereby certify that this is being deposited with the  
United States Postal Service "Express Mail Post Office  
to Addressee" service under 37 CFR 1.10 on the date  
indicated above and is addressed to the Commissioner  
of Patents and Trademarks, Washington, D. C. 20231

By Philip H. Albert

Inventors: Edward L. Schwartz and Michael J. Gormish

For: **METHOD AND APPARATUS FOR SECURING EXECUTABLE PROGRAMS AGAINST COPYING**

Enclosed are:

[X] 8 sheets of [ ] formal [X] informal drawings.  
[ ] An assignment of the invention to \_\_\_\_\_  
[ ] A [ ] signed [ ] unsigned Declaration & Power of Attorney.  
[X] A [ ] signed [X] unsigned Declaration.  
[ ] A Power of Attorney.  
[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.  
[ ] A certified copy of a \_\_\_\_\_ application.  
[ ] Information Disclosure Statement under 37 CFR 1.97.  
[ ]

**In view of the Unsigned Declaration as filed with this application and pursuant to 37 CFR §1.53(d),  
Applicant requests deferral of the filing fee until submission of the Missing Parts of Application.**

**DO NOT CHARGE THE FILING FEE AT THIS TIME.**



Philip H. Albert  
Reg. No.:35,819  
Attorneys for Applicant

Telephone:  
(415) 543-9600  
APPNOFEE.TRN 12/92

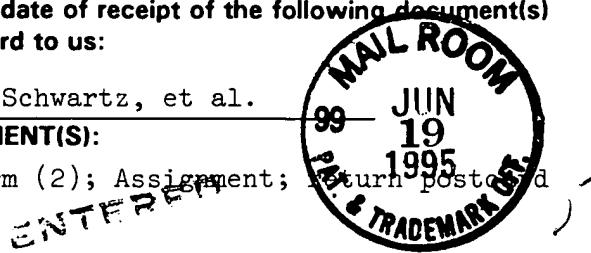
**TO THE U.S. PATENT OFFICE**

Please stamp the date of receipt of the following document(s)  
and return this card to us:

**RE:** Edward L. Schwartz, et al.

**TITLE OF DOCUMENT(S):**

PTO-1595 form (2); Assignment; Return postpaid



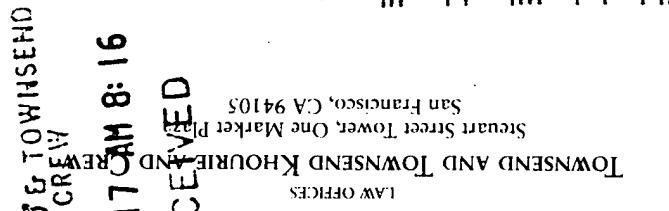
**Serial No.** 08/423,402

**File No.** 15358-24

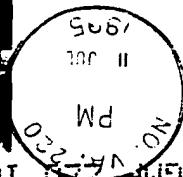
**Date Due** n/a

**Date Mailed** June 14, 1995

**Atty/Secty.** PHA:dlh



USA20



07/11/95 NO VA GMF 550 18:00 AM



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

June 27, 1996

Townsend & Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111

To Whom It May Concern:

The purpose of this letter is to document the problems associated with filling your request for a certified copy of U.S. Patent Application Number for 08/423,402.

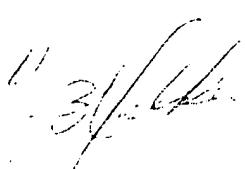
Your order dated January 30, 1996, was received in our office on February 2, 1996. At the time of the request, the file could not be located and was placed on Official Search. Unfortunately, the Official Search has been terminated, and the file is now Officially Lost and has to be reconstructed.

Copies of the documents concerning U.S. Patent Application Number 08/423,402 can not be provided until the file has been reconstructed.

Please, direct questions concerning reconstruction of the application file to the Special Handling Unit, of the Certification Division, at (703) 308-9726.

I apologize for any inconvenience this has caused.

Sincerely,

  
Ulysses G. Walker  
Certification Division



COPY

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEBEFORE USING THIS ORDER FORM  
read the Important Information  
on the reverse side

## DEPOSIT ACCOUNT ORDER FORM

MAIL TO: COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON, DC 20231		Date: June 28, 1996	FOR OFFICE USE ONLY	
Account No. 20-1430	Order No. 3843		ITEM OR SERVICE	VALUE FURNISHED ACTION OR USE
Name and Address of Depositor:				
<b>TOWNSEND and TOWNSEND and CREW LLP</b> Two Embarcadero Center, 8th Floor San Francisco, CA 94111				

## DESCRIPTION OF ARTICLES OR SERVICES TO BE FURNISHED

Five (5) certified copies of US Application No. 08/423,402, filed April 18, 1995,  
"Method and Apparatus for Securing Executable Programs Against Copying"

Attorney Docket: 15358-24

# additional space is needed attach separate sheet.

Date: 28JUN96

(Signature) Philip H. Albert, Reg. No. 35,819

(THIS FORM MAY BE REPRODUCED WITHOUT PERMISSION OF THE PATENT AND TRADEMARK OFFICE)

FOR PROMPT, ACCURATE SHIPMENT, PLEASE COMPLETE THE FOLLOWING MAILING LABEL - PLEASE PRINT OR TYPEWRITE

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Patent and Trademark Office  
Washington, DC 20231  
**OFFICIAL BUSINESS**

RETURN AFTER 5 DAYS

YOUR ORDER NO.: 3843

Name:  
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TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111



015358-002400  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
RCC / PHA

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
--------------------	-------------	-----------------------	------------------------

08/423, 402 04/18/95 SCHWARTZ

E 15358-24

0222/0505  
TOWNSEND AND TOWNSEND KHOURIE AND CREW  
STEUART STREET TOWER  
ONE MARKET PLAZA Response Due 6-18-95 rs  
SAN FRANCISCO CA 94105  
0000

DATE MAILED:

05/05/95

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130.00 for large entities or \$ 65.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a  large entity,  small entity (verified statement filed), is \$ 860.00.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1.  The statutory basic filing fee is:  missing  insufficient. Applicant as a  large entity  small entity, must submit \$ 730.00 to complete the basic filing fee.
2.  Additional claim fees of \$ \_\_\_\_\_ as a  large entity,  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3.  The oath or declaration:
  - is missing.
  - does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4.  The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5.  The signature to the oath or declaration is:  missing;  a reproduction;  by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6.  The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7.  The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ \_\_\_\_\_ under 37 CFR 1.17(k), unless this fee has already been paid.

8.  A \$ \_\_\_\_\_ processing fee is required for returned checks. (37 CFR 1.21(m)).

9.  Your filing receipt was mailed in error because check was returned without payment.

10.  The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11.  Other.

Direct the response and any questions about this notice to \_\_\_\_\_, Application Processing Division, Special Processing and Correspondence Branch (703) 308-1202.

**A copy of this notice MUST be returned with the response.**

ATTORNEY'S/APPLICANT'S COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks,  
Attn: Application Processing Division  
Special Processing and Correspondence Branch  
Washington, D.C. 20231 on June 14, 1995

PATENT

Attorney Docket No. 15358-24

By Debra L. Hill  
Donna Hill

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Edward L. Schwartz, et al. ) Examiner: Unassigned  
Serial No.: 08/423,402 ) Art Unit: Unassigned  
Filed: April 18, 1995 ) TRANSMITTAL LETTER  
For: METHOD AND APPARATUS FOR )  
SECURING EXECUTABLE )  
PROGRAMS AGAINST COPYING )

Attn: Application Processing Division  
Special Processing and Correspondence Branch  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated May 5, 1995, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Power of Attorney with attached Certificate Under 3.73(b)
- 3) Copy of Notice of Missing Parts

Please charge the statutory basic filing fee of \$860 (total claims, 32 and 4 independent claims) and the surcharge of \$65.00 to Deposit Account No. 20-1430 of the undersigned. The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this

Edward L. Schwartz, et al.  
Serial No.: 08/423,402  
Page 2

PATENT

application, or credit any overpayment to Deposit Account No. 20-1430 for this paper and during the prosecution of this application. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

Re: 72-1145

  
Philip H. Albert  
Reg. No. 35,819

TOWNSEND and TOWNSEND and CREW  
One Market Plaza  
Steuart Street Tower, 20th Floor  
San Francisco, California 94105

(415) 543-9600

PHA:

c:\work\15358\24\ms-pts



TO THE U.S. PATENT OFFICE

Please stamp the date of receipt of the following document(s)  
and return this card to us:

ENTERED

RE: Edward L. Schwartz, et al.

**TITLE OF DOCUMENT(S):**

Transmittal Letter (3); Executed Declaration; Power  
Attorney and attached Certificate Under 3.73(b); copy  
of Notice to File Missing Parts; return postcard



Serial No. 08/423,402

File No. 15358-24

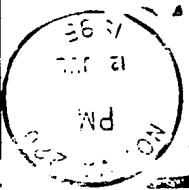
Date Due July 5, 1995

Date Mailed June 24, 1995

Atty/Secty. PHA:dlh

2 USPS 1995

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TOWNSEND AND TOWNSEND KHOURE AND CREW  
LAW OFFICES  
5 JUL 17 AM 10:13  
TOWNSEND & TOWNSEND  
KHOURE AND CREW



FILING RECEIPT



015358-002400US  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
*RCC/PFA*

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/423,402	04/18/95	2309	\$860.00	15358-24	8	32	4

PHILIP H ALBERT  
TOWNSEND AND TOWNSEND KHOURIE AND CREW  
STEUART STREET TOWER 20TH FLOOR  
ONE MARKET PLAZA  
SAN FRANCISCO CA 94105

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

EDWARD L. SCHWARTZ, SUNNYVALE, CA; MICHAEL J. GORMISH,  
LOS ALTOS, CA.

TITLE

METHOD AND APPARATUS FOR SECURING EXECUTABLE PROGRAMS AGAINST COPYING

PRELIMINARY CLASS: 395

*TOWNSEND & TOWNSEND & CREW  
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LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "FOREIGN FILING LICENSE GRANTED" followed by a date appears on the reverse side of this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). This license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license has been granted under 37 CFR 5.13.

This license is to be retained by the licensee and may be used at anytime on or after the effective date thereof unless it is revoked. This license is transferrable to any related application(s) filed under 37 CFR 1.62 which meet the provisions of 37 CFR 5.15(a)(4). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR, Parts 121-128) ); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j) ); and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "FOREIGN FILING LICENSE GRANTED" DOES NOT appear on the reverse side of this form. Applicant may still petition for a license under 37 CFR 5.12 (b), if a license is desired.